

09/269518



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U.S. APPLICATION NO. 518	FENNER	FIRST NAMED APPLICANT	ATTY. DOCKET NO. 34713-00006
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5611

INTERNATIONAL APPLICATION NO.

PCT/GB97/02940

I.A. FILING DATE

PRIORITY DATE

10/27/97

10/03/96

03/15/01

DATE MAILED:

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494), ☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☐ a non-English language.

☒ English.

☐ Translation of the international application into English.

☒ Oath or Declaration of Inventor(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☒ The International Preliminary Examination Report in English and its Annexes, if any.

☒ Translation of Annexes to the International Preliminary Examination Report into English.

☒ Preliminary amendment(s) filed 02 Nov 1999 and _____

☐ Information Disclosure Statement(s) filed _____ and _____

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed _____

☒ Statement Claiming Small Entity Status.

☒ Priority Document.

☒ Copy of the International Search Report ☒ and copies of the references cited therein.

☐ Other:

2. The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes MUST be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: ☐ PCT/DO/EO/917
☐ PTO-875

☐ Notice of Defective Translation

Lemont Huster

FORM PCT/DO/EO/905 (December 1997)

Telephone: (703) 295-8600

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CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence and the documents identified as enclosed therein are being deposited with the United States Postal Service on this date, June 15, 2001, by Express Mail (Express Mail Label No. EL677098461US), addressed to the Commissioner for Patents, Box PCT, Washington, D.C. 20231.

Susan B. Jensen
Signature

Susan B. Jensen
Printed Name

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

P E JC87
JUN 15 2001
PATENT & TRADEMARK OFFICE
INTERNATIONAL STAGE APPLICATION OF

David Fenner et al.

FILED: April 2, 1999

TITLE: Fan Rotor

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APPLICATION NO.: 09/269,518

ATTY. DKT. NO.: 34703.00006

Commissioner of Patents
Washington, D.C. 20231

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER
35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

Dear Sir:

In response to the Notification of Missing Requirements mailed March 15, 2001 for the above-identified matter, Applicants out of an abundance of caution file herewith the following documents:

1. Declaration and Power of Attorney executed May 30, 2001.
2. Surcharge under 37 CFR 1.492(e) of Sixty-five Dollars (\$65.00). The Commissioner for Patents is authorized to charge this surcharge fees associated with this communication or credit any overpayment to Deposit Account No. 501285/AMA/34703.00006.

PETITION FOR EXTENSION OF TIME

Applicants respectfully request a two-month extension of time to and including June 15, 2001, for responding to the Notification of Missing Requirements mailed March 15, 2001, with a shortened statutory period ending April 15, 2001. In accordance to 37 CFR § 1.136(a) and 37 CFR § 1.17(a)(2), a One Hundred Ninety-five Dollars (\$195.00) (small entity status) extension fee is included with this request. The Commissioner for Patents is authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 501285/AMA/34703.00006.

05/20/2001 ENSUYEN1 00000155 501205 09269518

01 FC:216 195.00 CH

05/20/2001 ENSUYEN1 00000155 501205 09269518

02 FC:205 65.00 CH

Response to Notification of Missing Requirements

Page 1 of 2

SMALL ENTITY STATUS

Applicants claim small entity status. Additionally, Elta Fans Limited the assignee of the present application also claims small entity status. A true and accurate copy of the Verification of Small Entity Status previously filed July 1, 1999 is filed herewith.

REQUEST FOR REFUND

Applicants request a refund of the surcharge and extension fees paid as a result of this filing.

Please note that Applicants had previously filed a response to a Notification of Missing Requirements dated mailed June 1, 1999, which included an executed Declaration and Power of Attorney executed May 25, 1999, Verified Statement Claiming Small Entity Status and the Surcharge under 37 CFR 1.492(e). A copy of each of these documents and check together with a copy of the returned postcard were provided as part of the Petition to Withdraw a Holding of Abandonment filed July 3, 2000, which was granted based on the documentation provided by the Decision dated November 2, 2000. An additional copy of these documents was provided by facsimile on March 30, 2001 per request of Mr. Lamont Hunter.

The Declaration and Power of Attorney executed May 30, 2001 reflects the Applicants current representation by counsel of our firm, rather than representation by Applicants prior counsel.

CONCLUSION

In any event, Applicants await their official filing receipt and request that examination proceed on the present application.

Should any fees be due, please charge or credit Deposit Acct. No. 501285/AMA/34703.00006.

Respectfully submitted by,



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